

United States District Court
Eastern District of Michigan

United States of America
v.

ORDER OF DETENTION

Falon Richardson

Case Number: 04-cr-80857

Hon. Lawrence P. Zatkoff

Defendant

Part I – Findings of Fact

(1) I find that:

Defendant is currently charged with violation of federal criminal drug laws. In accordance with the Bail Reform Act, 18 U.S.C. §3142, the court set an unsecured bond for defendant on or about January 13, 2005. Defendant failed to comply with the bond conditions and on or about February 16, 2005, the district judge granted Pretrial Services' petition to cancel the defendant's bond and issue an arrest warrant.

On or about December 21, 2005, a Superseding Indictment was issued against defendant. Defendant did not appear on that document until on or about January 29, 2007. An order of temporary detention was entered and a detention hearing was set for February 2, 2007.

Counsel for defendant from the Federal Defender's Office has now filed a motion to withdraw. That matter is set for hearing before the district judge on February 6, 2007.

Because defendant's bond was previously canceled by order of the district judge, review and relief, if any, can only be granted by that court upon motion filed by a lawyer representing defendant.

Accordingly, it is ordered that defendant is detained pending trial pursuant to the previously entered order canceling his bond.

Part II – Written Statement of Reasons for Detention

I find that the order of the district judge and the representations of pretrial services therein established the following factors under 18 U.S.C. § 3142(g):

- ☐ (a) nature of the offense—controlled substances and conspiracy
- ☐ (b) weight of the evidence—strong; def charged by way of indictment
- ☐ (c) history and characteristics of the defendant
 - ☐ 1) physical and mental condition—not significant
 - ☐ 2) employment, financial, family ties—not significant
 - ☐ 3) criminal history and record of appearance—several outstanding warrants when bond canceled; failed to report for random drug testing, and failed to respond to Pretrial after a home visit was made.
- ☐ (d) probation, parole or bond at time of the alleged offense—bond canceled by district judge on this case 2/16/05
- ☐ (e) danger to another person or community—unknown

Part III – Directions Regarding Detention

The defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

Date 2/5/07

s/Virginia M. Morgan

Signature of Judge

Virginia M. Morgan, United States Magistrate Judge

Name and Title of Judge